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***EKC Group – Tender for Legal Advice and Services***

***Tender Clarifications and Guidance 11***

***12 September 2025***

1. **Pricing Schedule**  
   Could you please clarify what is expected in the “Supplier Offering” section, and how this differs from the responses required in “Customer Requirements”?

3Appendix, Tab 1, Column B - Supplier Offering should provided brief details of what elements of your organisation’s provisions meet the criteria in Column A - Specification.

Tab 1, Column C - Supplier Pricing Offering should contain the pricing structure/formula or specific GBP amount – making clear where VAT is applicable.

Tab 2, Column C - Supplier Response boxes should ideally elaborate on, and mirror, any brief details in Tab 1, Column B - Supplier Offering.

Each answer provided in any box should not exceed size 12 font, 5x A4 pages’ worth of information.

But, if bidders need to submit any further information it can be provided collated in a supplementary document which itself should be no more than 5x A4 pages long.

A maximum of four relevant key members’ full CVs need be provided at this stage, these are considered to be outside of the 5x A4 page limit. Any other members of the bidding organisation you would like brought to EKC Group’s attention can be represented by a brief overview/bio of most recent applicable experience.

For clarity, CVs and relevant experience will **not** be counted within the 5-page A4 limit, but please note that condensed overviews of other relevant experts’ experience in the organisation is preferrable.

1. **Pricing Structure**  
   Should pricing be presented as a combined total across all key areas, or would you prefer a breakdown by each key area?

Yes. In terms of pricing structure this should the different expertise areas should be combined as the retainer is due to apply to the overall legal advice coverage.

The pricing structure can be a unit/hourly rate, formula or specific GBP amount.

But there should be an estimate Total Price entered in Appendix, Tab 1, Row 24, Column C - making clear whether the estimate Total Price is inclusive or exclusive of VAT.

1. **Scope of Services**  
   To be eligible to submit a tender, must we be able to provide advice across all nine key areas, or is partial coverage acceptable?

This tender was launched with a view to procuring a single legal provider with the ability to provide **at least all nine key areas** stated in the ITT and the Tab 1, Box A 15.

The successful tender cannot be split or shared across more than one provider, nor sub-contracted, nor subject to white-labelling arrangement.

Providers are generally eligible to submit bids for the tender, but will be scored according to their service alignment with the scope of the practice areas set out in the tender.

In short, partial coverage is not acceptable and is precluded from being accepted as the final successful bid.

1. **Evidence Format**  
   Is there a specific format or type of evidence expected for each of the nine key areas (e.g., case studies, service overview, approach)?

**There is no specific type of evidence requested,**

The choice of evidence is at the bidding organisation's discretion. Case studies, service overview, and approach are all acceptable.

The key requirement is that **at least** TWO professional/client reference contacts are provided as per Appendix, Tab 2 - Customer Requirements, Row 6.

1. **Staffing Information**  
   Could you confirm the current number of staff employed that are relevant to the scope of this tender?

EKC Group currently employs approximately 1500 staff. Five specific members of the Group (to be later named in the future contract under this tender) will be eligible to utilise the advice and services under the retainer.

1. **Financial Information**  
   What is EKC Group’s current annual turnover?

Approximately, £ 82 million.

1. **Usage Data**  
   Can you provide indicative figures for last year’s usage of legal advice services?

Pricing/Cost is one of the key scoring criteria, and as such it is expected that bidders calculate their own estimates of providing this service to meet EKC Group’s requirements and tender evaluation parameters.

Therefore, in the interests of maintaining fairness throughout the tender process, any previous year’s spend in this area has been deemed not relevant to this year’s current tender.

1. **Legal Spend**  
   What was the total legal spend for the previous financial year?

Pricing/Cost is one of the key scoring criteria, and as such it is expected that bidders calculate their own estimates of providing this service to meet EKC Group’s requirements and tender evaluation parameters.

Therefore, in the interests of maintaining fairness throughout the tender process, any previous year’s spend in this area has been deemed not relevant to this year’s current tender.

1. **Scope of Fixed Fee Arrangement**  
   Would representation and drafting of legal documents be considered outside the scope of any fixed fee arrangement for advisory services?

Representation and drafting of legal document is to be considered **outside the scope** of the fixed fee retainer arrangement for advisory services although this may vary case-to-case.

Depending on the scale and nature of any such project EKC group may hold a separate tender for any additional legal work in this area. Should the Group require such legal services, a separate tender will be launched. The Group’s retained legal provider is permitted to bid for that other tender at the relevant juncture, and can put forward a proposed scheme of work with relevant additional service fees commensurate with the scale of the specific matter.

The Group reserves the right to negotiate the applicable terms of any future tender with any successful bidder for any such additional work of this type.

1. **Employment Law**  
   Does item (f) in the specification include employment law advice?

EKC Group can confirm that Employment Law and HR Advice is not included under ITT Document, Section 3. Tender Requirements, paragraph 1(f).

Nor is there any no foreseeable requirement for employment law advice under this tender generally. Thus employment law is ***outside*** the purview of this tender.

1. **Contract Duration**  
   We were unsure from the documentation—what is the proposed duration of the retained advice?

The tender is valued at £90K (plus VAT) which is budgeted to cover the retained legal service fees between January 2026 and January 2029, with this amount being split across the life-cycle of the contract – in approximately equal amounts each year.

1. **Capital Projects**  
   What capital projects are currently anticipated during the contract period (e.g., property acquisitions/disposals, academy conversions/mergers, mergers with other colleges)?

Due to reasons of commercial sensitivity, and maintaining fairness throughout the tender process the nature of future capital projects has been deemed not distributable.

1. **Capital Project Pricing**  
   Is it acceptable for such capital projects to be priced separately from the retainer for ad hoc advice?

This will vary depending on the nature and scope of the legal advice required.

1. **Commercial Contracts**  
   With regard to item 1f of the ITT, please clarify the number and nature of commercial contracts we would be expected to advise on each year.

Whilst it is not possible to quantify the number of such commercial contracts per year at this juncture, such advice may relate to matters such as: lease reviews in commercial property, property access and use licences, building works, public and private sector collaboration agreements (e.g. memoranda of understanding and contracts) both where the Group is the service provider and vice versa, as well as elements of procurement.

1. **Construction Projects**  
   Regarding capital projects referenced in item 1g of the ITT, please confirm whether construction projects/contracts may be excluded from the retainer for ad hoc advice and priced separately on a case-by-case basis.

This would depend on the scale the capital project and the scope of the advice required. On smaller project, or with brief enquiries this would be considered within the retainer.

Whereas, in cases of larger scale capital projects requiring significant legal input EKC Group would launch a separate tender for this, which the retained legal provider can bid, providing a proposed scheme of work. In such cases ad-hoc project-based work would be negotiated between EKC Group and the relevant legal provider successful on that separate tender.

***Q. Please could you let me know where/when the responses will be published?***

***Publication of Responses***

Responses will be emailed directly back to enquirers, as well as published in the documents section of the tender on the Government’s Central Digital Platform/Find a Tender site as ***Clarifications and Guidance***.

These response documents will be accessible for download publicly, ensuring fairness and transparency throughout the tender process.

**\_END\_**